

# EXHIBIT A

Richard R. Harris (*admitted pro hac vice*)

Marc D. Esterow (NJ No. 210102016)

**LITTLER MENDELSON, P.C.**

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*Attorneys for Defendant,*

*Starbucks Corporation*

*d/b/a Starbucks Coffee Company*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

SHANNON PHILLIPS,

Plaintiff,

V.

STARBUCKS CORPORATION d/b/a  
STARBUCKS COFFEE COMPANY,

Defendant.

• • • • •

Civil Action No. 1:19-cv-19432-RMB-AMD

## DEFENDANT'S RESPONSES AND OBJECTIONS TO PLAINTIFF'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS

Defendant Starbucks Corporation d/b/a Starbucks Coffee Company (hereinafter “Starbucks”), by and through its undersigned counsel, submits the following responses and objections to Plaintiff Shannon Phillips’ (“Ms. Phillips”) First Set of Requests for Production of Documents.

## **OBJECTIONS AND LIMITATIONS APPLICABLE TO ALL REQUESTS**

In addition to any objections or limitations stated below in Starbucks' specific responses to Ms. Phillips' First Set of Requests, Starbucks incorporates the following objections and limitations into each of its responses:

extraordinarily time-consuming and expensive for Starbucks and would produce innumerable documents of no benefit to Ms. Phillips. Accordingly, this Request violates Rule 26(b)(1)'s proportionality requirements, and other than Starbucks' response above, Starbucks will not produce any additional documents in response to this Request. *See Zelaya v. UNICCO Serv. Co.*, 682 F. Supp. 2d 28, 32-33 (D.D.C. 2010) (finding plaintiff's request for "all complaints of gender discrimination made against the employer or its employees during the five years prior to the employee's discovery request" was irrelevant where complaints were not made against same decisionmaker).

**14. Any and all documents relating to the arrests of two men in or about April 2018 at Defendant's retail location at 18th and Spruce Street, Philadelphia, PA.**

**RESPONSE:** Starbucks objects to this Request because it seeks documents that are neither relevant nor proportional to the needs of this case, because it is harassing and designed to needlessly increase the cost of this litigation, because it seeks confidential, personal, and private information that would invade the privacy rights of Starbucks' non-party current and former employees and Starbucks' customers, and because it seeks documents protected from disclosure by the attorney-client privilege and work product doctrine. As written, this Request calls for the production of every document and email created by, sent to, or received from any current or former Starbucks employee that broadly relates to the highly-publicized arrests of Donte Robinson and Rashon Nelson at a Starbucks store in Philadelphia on April 12, 2018. By way of example, this Request is so broad that it would require the production of every email and document in Starbucks' possession describing or discussing (1) the arrests; (2) every action Starbucks, its employees, and its executive leadership team took in response to the arrests, including, but not limited to, Starbucks' investigation of the pertinent facts, Starbucks'

engagement with community leaders and the Philadelphia Police Department, and the changes to Starbucks' practices to help prevent such an occurrence from ever happening again; (3) the confidential mediation and settlement between Starbucks, Mr. Robinson, and Mr. Nelson; and (4) the planning and implementation of the racial-bias education Starbucks conducted on May 29, 2018 for nearly 175,000 of its partners across the country in the aftermath of the arrests.

Responding to this Request would require Starbucks to undertake an exhaustive review of all the documents and emails in its possession since April 12, 2018, and interview every current and former Starbucks employee who worked for Starbucks since April 12, 2018, to identify any document that broadly relates to the April 12, 2018 arrests, including, but not limited to, documents that fall within the categories described in the foregoing paragraph. Starbucks would then have to collect each of those documents, review them for confidentiality and privilege, and produce them. Moreover, to meet its continuing duty to timely supplement its discovery responses, Starbucks would have to continually reassess whether the universe of responsive documents expanded, and then supplement their response accordingly. That process would be extraordinarily time-consuming and expensive for Starbucks and would be of no benefit to Ms. Phillips in the prosecution of her claims, which involve narrow allegations that, in April and May 2018, Starbucks (1) failed to hire her for a Temporary Limited Assignment position because of her race, *see* Amended Complaint ¶¶ 43-45, 71; and (2) terminated her employment (a) because of her race and (b) in retaliation for objecting to Starbucks' decision to suspend Mr. Trinsey, *see* Amended Complaint ¶¶ 49-72. Accordingly, Starbucks will not produce any documents in response to this Request.

*s/ Marc D. Esterow*

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Richard R. Harris (*admitted pro hac vice*)

Marc D. Esterow (NJ No. 210102016)

**LITTLER MENDELSON, P.C.**

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*Attorneys for Defendant,*

*Starbucks Corporation d/b/a*

*Starbucks Coffee Company*

Dated: July 22, 2020

# EXHIBIT B

**From:** [Param, Tara S \(PHL - X49556\)](#)  
**To:** [Laura Mattiacci](#)  
**Cc:** [Cox, Nancy \(PHL - X46886\)](#); [Harris, Richard \(PHL - X49594\)](#); [hlindgren](#); [Kate C. Oeltjen](#); [Danielle Buccieri](#); [Holly W. Smith](#); [Alexis Rodriguez](#)  
**Subject:** RE: Cox, Nancy (PHL - X46886) shared the folder "Security Videos" with you.  
**Date:** Saturday, June 3, 2023 2:30:12 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

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Hi Laura,

Robin Richards, Starbucks' paralegal, provided us the videos she obtained directly from Starbucks' security department. We have not spoken to the personnel for the security department that provided the videos. Once we do, we will pass along that information.

The footage is of multiple angles from Starbucks' 18th and Spruce Street Store on April 12, 2018. It shows the Store before Donte and Rashon enter. It then shows them enter the store. The footage shows Store Manager, Holly Hylton, walk up to Donte and Rashon. Next, it shows multiple police officers arrest them, as Donte and Rashon calmly leave the store.

The printed copy of the Exhibits provided to the Judge is identical to electronic production sent to you. Such that, any pages that appear in color, were printed in color for the Judge.

Thanks,

Tara

---

**From:** Laura Mattiacci <mattiacci@consolelaw.com>  
**Sent:** Saturday, June 3, 2023 11:18 AM  
**To:** Param, Tara S (PHL - X49556) <Tara.Param@hklaw.com>  
**Cc:** Cox, Nancy (PHL - X46886) <Nancy.Cox@hklaw.com>; Harris, Richard (PHL - X49594) <richard.harris@hklaw.com>; hlindgren <HLindgren@littler.com>; oeltjen <oeltjen@consolelaw.com>; buccieri <buccieri@consolelaw.com>; hollysmith <hollysmith@consolelaw.com>; Alexis Rodriguez <Rodriguez@consolelaw.com>  
**Subject:** Re: Cox, Nancy (PHL - X46886) shared the folder "Security Videos" with you.

*[External email]*

Tara and Rich,

Please provide an answer to my question below regarding who the custodian is for the 24 clips Defendant sent to us on Friday night, June 2<sup>nd</sup> at 5:17pm. Also, please provide an index for these 24 video clips, setting for what each clip purports to show and the time range of the clip (date and times) and how that was determined.

Lastly, when we were in court, you relayed that you provided color copies of certain trial exhibits

to the Judge. Please email to us the color exhibits that you provided to the Court.

Thanks,  
Laura

**Laura Mattiacci**  
**Co-Managing Member, CONSOLE MATTIACCI LAW, LLC**

t: [215.545.7676](tel:215.545.7676) | [mattiacci@consolelaw.com](mailto:mattiacci@consolelaw.com)  
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110 Marter Ave Suite 502, Moorestown, NJ 08057



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**From:** Laura Mattiacci  
**Sent:** Friday, June 2, 2023 6:24 PM  
**To:** Param, Tara S (PHL - X49556) <[Tara.Param@hklaw.com](mailto:Tara.Param@hklaw.com)>  
**Cc:** Cox, Nancy (PHL - X46886) <[Nancy.Cox@hklaw.com](mailto:Nancy.Cox@hklaw.com)>; Harris, Richard (PHL - X49594) <[richard.harris@hklaw.com](mailto:richard.harris@hklaw.com)>; hlindgren <[HLindgren@littler.com](mailto:HLindgren@littler.com)>; Kate C. Oeltjen <[oeltjen@consolelaw.com](mailto:oeltjen@consolelaw.com)>; Danielle Buccieri <[buccieri@consolelaw.com](mailto:buccieri@consolelaw.com)>; Holly W. Smith <[hollysmith@consolelaw.com](mailto:hollysmith@consolelaw.com)>; Alexis Rodriguez <[Rodriguez@consolelaw.com](mailto:Rodriguez@consolelaw.com)>  
**Subject:** Re: Cox, Nancy (PHL - X46886) shared the folder "Security Videos" with you.

Tara,  
Who is the custodian for the videos?  
Thanks,  
Laura

On Jun 2, 2023, at 6:23 PM, Param, Tara S (PHL - X49556) <[Tara.Param@hklaw.com](mailto:Tara.Param@hklaw.com)> wrote:

Hi Laura,

This is the only version of the video that has been provided by our client contact.

Thanks,

Tara

---



**From:** Laura Mattiacci <[mattiacci@consolelaw.com](mailto:mattiacci@consolelaw.com)>

**Sent:** Friday, June 2, 2023 6:19 PM

**To:** Cox, Nancy (PHL - X46886) <[Nancy.Cox@hklaw.com](mailto:Nancy.Cox@hklaw.com)>; Harris, Richard (PHL - X49594) <[richard.harris@hklaw.com](mailto:richard.harris@hklaw.com)>; Param, Tara S (PHL - X49556) <[Tara.Param@hklaw.com](mailto:Tara.Param@hklaw.com)>; hlindgren <[HLindgren@littler.com](mailto:HLindgren@littler.com)>

**Cc:** oeltjen <[oeltjen@consolelaw.com](mailto:oeltjen@consolelaw.com)>; buccieri <[buccieri@consolelaw.com](mailto:buccieri@consolelaw.com)>; hollysmith <[hollysmith@consolelaw.com](mailto:hollysmith@consolelaw.com)>; Alexis Rodriguez <[Rodriguez@consolelaw.com](mailto:Rodriguez@consolelaw.com)>

**Subject:** Re: Cox, Nancy (PHL - X46886) shared the folder "Security Videos" with you.

*[External email]*

Rich and Tara - Please provide the full, continuous video, with the timestamps on the video, asap. Thanks, Laura

Sent from my iPad

**Laura Mattiacci**

**Co-Managing Member, CONSOLE MATTIACCI LAW, LLC**

t: [215.545.7676](tel:215.545.7676) | [mattiacci@consolelaw.com](mailto:mattiacci@consolelaw.com)

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On Jun 2, 2023, at 5:30 PM, Cox, Nancy (PHL - X46886)

<[Nancy.Cox@hklaw.com](mailto:Nancy.Cox@hklaw.com)> wrote:

Hi Laura & Kate –

Please try this link.

 [Security Videos](#)

*Nancy*

**Nancy Cox | Holland & Knight**

Practice Assistant

Holland & Knight LLP

2929 Arch Street, Suite 800 | Philadelphia, Pennsylvania 19104

Phone 445.888.6886 | Fax 215.867.6070

[nancy.cox@hklaw.com](mailto:nancy.cox@hklaw.com) | [www.hklaw.com](http://www.hklaw.com)

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**From:** Kate C. Oeltjen <[oeltjen@consolelaw.com](mailto:oeltjen@consolelaw.com)>  
**Sent:** Friday, June 2, 2023 5:23 PM  
**To:** mattiacci <[mattiacci@consolelaw.com](mailto:mattiacci@consolelaw.com)>  
**Cc:** Cox, Nancy (PHL - X46886) <[Nancy.Cox@hklaw.com](mailto:Nancy.Cox@hklaw.com)>; buccieri <[buccieri@consolelaw.com](mailto:buccieri@consolelaw.com)>; hollysmith <[hollysmith@consolelaw.com](mailto:hollysmith@consolelaw.com)>; Alexis Rodriguez <[Rodriguez@consolelaw.com](mailto:Rodriguez@consolelaw.com)>  
**Subject:** Re: Cox, Nancy (PHL - X46886) shared the folder "Security Videos" with you.

*[External email]*

Hi Nancy,

The link is not working. Can you please give us any password/instructions needed to access it? Thanks.

Sent from my iPad



**Kate C. Oeltjen**

**Partner, CONSOLE MATTIACCI LAW, LLC**

t: [215.545.7676](tel:215.545.7676) | [oeltjen@consolelaw.com](mailto:oeltjen@consolelaw.com)

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On Jun 2, 2023, at 5:22 PM, Laura Mattiacci  
<[mattiacci@consolelaw.com](mailto:mattiacci@consolelaw.com)> wrote:

Hi Nancy, this link sent working. Is there a password? Thanks,  
Laura

**Laura Mattiacci**

**Co-Managing Member, CONSOLE MATTIACCI LAW, LLC**

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On Jun 2, 2023, at 5:17 PM, Cox, Nancy (PHL - X46886) <[Nancy.Cox@hklaw.com](mailto:Nancy.Cox@hklaw.com)> wrote:

<AttachedImage>

## Cox, Nancy (PHL - X46886) shared a folder with you

Here's the folder that Cox, Nancy (PHL - X46886) shared with you.

[<AttachedImage>](#) [Security Videos](#)

<AttachedImage> This link only works for the direct recipients of this message.

Open

<AttachedImage>

<AttachedImage>

[Privacy Statement](#)

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